

FILED  
9/27/22 2:28 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPa

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Michael Wallace Yochum : Bankruptcy Case No. 22-10259-TPA  
Debtor(s) : Chapter 13

**PLAN CONFIRMATION ORDER**

**AND NOW**, this **27th** of **September, 2022**, it is hereby **ORDERED, ADJUDGED and DECREED**, with the consent of all the Parties in attendance, as follows:

**A** The Chapter 13 Plan dated **July 18, 2022**, except as modified herein as numbered, below, is **CONFIRMED** in accord with **11 USC 1325**. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court. The current Plan payment is **\$812**.

1. Confirmation of this Plan pursuant to this Order is without prejudice to reconsideration following a status conference held by the Chapter 13 Trustee to gauge the progress of Plan implementation, which **Status Conference** is scheduled for **December 6, 2022, at 11:00 AM remotely by the Trustee via Zoom, how to participate: go to [www.ch13pitt.com](http://www.ch13pitt.com), [meetings@chapter13trusteedpa.com](mailto:meetings@chapter13trusteedpa.com)**, (which may, upon agreement of the Parties, be continued from time to time *provided however* that following the 3rd continuance, the matter shall be set for hearing before the Court), following which time the Plan may be modified to the satisfaction of all Parties after notice and hearing before the Court, or the status conference may be marked closed by the Chapter 13 Trustee. (A1)

2. The claim of **Lakeview Loan Servicing (Claim Number: 9)** is to be paid per the Plan pending resolution of the loss mitigation process. (D47)

3. No further payments to the following secured/priority claimant(s) is/are due and owing because of the indicated reason. All prior payments to the Creditor(s) listed below is/are approved. **Portfolio Recovery Associates, LLC (Claim Number 8)**, Reason: **Debtor to seek avoidance**. (D41)

4. No further payments to the following secured/priority claimant(s) is/are due and owing because of the indicated reason. All prior payments to the Creditor(s) listed below is/are approved. **Jennifer Yochum or PA SCDU**, Reason: **All DSO payments are paid directly by the Debtor outside of the plan**. (D41)

5. Issues concerning whether the Plan's §1325(b) estimated amount available for distribution to general Unsecured Creditors, good faith, and §1325(a)(4) amount is sufficient are preserved for the Status Conference to be scheduled. In the event the Parties are unable to amicably resolve any dispute over the treatment of Unsecured Creditors in the Plan, the matter will be deemed contested and presented to the Court for resolution. (E50)

**B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

1. **Objections to the Plan:** This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may only disburse funds pursuant to this confirmation order upon expiration of the foregoing twenty-eight (28) day period.

2. **Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

Revised 3/22/2022

**3. Review of Claims Docket and Objections to Claims.** Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**4. Motions or Complaints Pursuant to §§506, 507, or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**5. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

**C IT IS FURTHER ORDERED THAT:**

**1.** Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.

**2.** Following payment of allowed secured and priority claims the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

**3.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**4.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**5.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**6.** Debtor(s) shall file an Amended Schedule I and/or J in the event of:

(a) Household income increases by 10% or more over most the recently filed Schedule I, because of new employment, promotion, or otherwise.

(b) A reduction in payroll withholding (including any Domestic Support Obligation and retirement loan(s) repayments), or a 10% or more reduction of any line item expense on Schedule J.

(c) Any indicated increase in disposable income as a result of an increase in income or decrease in payroll withholding or Schedule J expense (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the payoff of the obligation, decrease in expense, or increase in household income.

**7.** Debtor(s) shall provide Trustee annual tax returns and statements of income and expenses, in accordance with Section 521(f) and (g), and shall file an amended plan reflecting any increase in disposable income retroactive to date of increase.

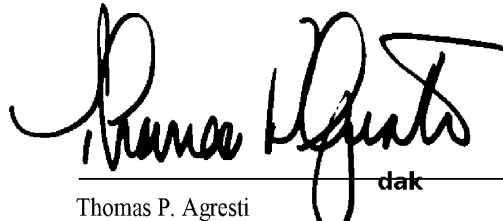
**8.** Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

Revised 3/22/2022

9. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

10. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

11. Any prior Confirmation Order entered in this matter is *VACATED*.



\_\_\_\_\_ dak  
Thomas P. Agresti  
United States Bankruptcy Judge

cc: All Parties in interest to be served by Clerk immediately

In re:  
Michael Wallace Yochum  
Debtor

Case No. 22-10259-TPA  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-1

User: auto

Page 1 of 3

Date Rcvd: Sep 27, 2022

Form ID: pdf900

Total Noticed: 35

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 29, 2022:

Recip ID	Recipient Name and Address
db	+ Michael Wallace Yochum, 23095 Titusville Road, Titusville, PA 16354-6323
15489019	+ Community Connect Federal Credit Union, 1050 E Spring Street, Titusville, PA 16354-7826
15489020	+ Community Connect Federal Credit Union, 1050 East Spring Street, Titusville, PA 16354-7826
15489021	+ Erie Federal Credit Union, Attn: Bankruptcy, 3503 Peach Street, Erie, PA 16508-2741
15489027	+ Oil Country, 1050 E Spring Street, Titusville, PA 16354-7826
15498220	+ Oil Creek Township, 16835 Shreve Run Road, Pleasantville, PA 16341-1717
15498221	+ PA SCDU, P.O. Box 69110, Harrisburg, PA 17106-9110
15489029	+ Penelec, P.O. Box 3687, Akron, OH 44309-3687
15489030	Pleasantville Borough, 114 West State Street, Pleasantville, PA 16341
15498222	+ Scott & Associates, P.C., c/o Michael A. Carrucoli, Esq., 6 Kacey Court, Suite 203, Mechanicsburg, PA 17055-9237
15498223	+ Venango County Domestic Relations, P.O. Box 369, Franklin, PA 16323-0369

TOTAL: 11

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	Sep 27 2022 23:35:00	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15489015	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Sep 27 2022 23:35:04	Capital One Bank, P.O. Box 31293, Salt Lake City, UT 84131-0293
15489016	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Sep 27 2022 23:35:04	Capital One N.A., P.O. Box 30285, Salt Lake City, UT 84130-0285
15489018	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Sep 27 2022 23:35:01	Citibank, N.A., Attn: Centralized Bankruptcy, P.O. Box 790034, Saint Louis, MO 63179-0034
15489022	+ Email/Text: cashiering-administrationservices@flagstar.com	Sep 27 2022 23:32:00	Flagstar Bank, Attn: Bankruptcy, 5151 Corporate Drive, Troy, MI 48098-2639
15489023	+ Email/PDF: cbp@onemainfinancial.com	Sep 27 2022 23:35:09	Household Finance Co/OneMain Financial, Attn: Bankruptcy, P.O. Box 3251, Evansville, IN 47731-3251
15489024	+ Email/Text: bankruptcy@huntington.com	Sep 27 2022 23:31:00	Huntington Bank, Attn: Bankruptcy, P.O. Box 182519, Columbus, OH 43218-2519
15489017	Email/PDF: ais.chase.ebn@aisinfo.com	Sep 27 2022 23:35:09	Chase Mortgage, Chase Records Center/ Correspondence, 700 Kansas Lane, Monroe, LA 71203
15507482	+ Email/Text: nsm_bk_notices@mrcooper.com	Sep 27 2022 23:31:00	LAKEVIEW LOAN SERVICING, LLC, c/o Nationstar Mortgage LLC, P.O. Box 619096, Dallas, TX 75261-9096
15503547	+ Email/Text: bankruptcydpt@mcmcg.com	Sep 27 2022 23:31:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15489025	+ Email/Text: bankruptcydpt@mcmcg.com	Sep 27 2022 23:31:00	Midland Funding, LLC, Attn: Bankruptcy, P.O.

District/off: 0315-1

User: auto

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Form ID: pdf900

Total Noticed: 35

			Box 939069, San Diego, CA 92193-9069
15489026	+ Email/Text: Bankruptcy@natfuel.com	Sep 27 2022 23:31:00	National Fuel, 1100 State Street, Erie, PA 16501-1912
15489028	+ Email/PDF: cbp@onemainfinancial.com	Sep 27 2022 23:35:00	Onemain Financial, Attn: Bankruptcy, P.O. Box 3251, Evansville, IN 47731-3251
15507205	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Sep 27 2022 23:35:10	PORTFOLIO RECOVERY ASSOCIATES, LLC, POB 41067, Norfolk, VA 23541
15489031	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Sep 27 2022 23:35:00	Portfolio Recovery Associates, LLC, Attn: Bankruptcy, 120 Corporate Boulevard, Norfolk, VA 23502
15495332	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Sep 27 2022 23:35:05	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15489032	^ MEBN	Sep 27 2022 23:28:15	Sterling Jewelers, Inc., Attn: Bankruptcy, P.O. Box 1799, Akron, OH 44309-1799
15489033	+ Email/PDF: gecsed@recoverycorp.com	Sep 27 2022 23:34:59	Synchrony Bank, P.O. Box 965024, Orlando, FL 32896-5024
15489568	+ Email/PDF: gecsed@recoverycorp.com	Sep 27 2022 23:35:09	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15489034	+ Email/PDF: gecsed@recoverycorp.com	Sep 27 2022 23:35:05	Synchrony Bank/Old Navy, Attn: Bankruptcy, P.O. Box 965060, Orlando, FL 32896-5060
15489035	+ Email/PDF: gecsed@recoverycorp.com	Sep 27 2022 23:34:59	Synchrony/American Eagle, Attn: Bankruptcy, P.O. Box 965060, Orlando, FL 32896-5060
15501679	^ MEBN	Sep 27 2022 23:29:08	UPMC HEALTH SERVICES, PO BOX 1123, MINNEAPOLIS, MN 55440-1123
15503721	Email/PDF: ebn_ais@aisinfo.com	Sep 27 2022 23:35:00	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
15489036	+ Email/Text: wfmelectronicbankruptcyntifications@verizonwireless.com	Sep 27 2022 23:31:00	Verizon Wireless, Attn: Bankruptcy, 500 Technology Drive, Suite 599, Weldon Springs, MO 63304-2225

TOTAL: 24

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		LAKEVIEW LOAN SERVICING, LLC.
15498224	*+	Synchrony Bank, P.O. Box 965024, Orlando, FL 32896-5024

TOTAL: 1 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 29, 2022

Signature: /s/Gustava Winters

District/off: 0315-1

User: auto

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Date Rcvd: Sep 27, 2022

Form ID: pdf900

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 27, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor LAKEVIEW LOAN SERVICING LLC. bnicholas@kmlawgroup.com
Daniel P. Foster	on behalf of Debtor Michael Wallace Yochum dan@mrdebtbuster.com katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 4